

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:09CR245
)	
Plaintiff,)	
)	
v.)	ORDER
)	
GERALD WILLIAMS and)	
JUDITH WILLIAMS,)	
)	
Defendants.)	

This matter is before the court on the government's notice of intent to use evidence in this case pursuant to Fed. R. Evid. 404(b). Filing No. [60](#). In particular, the government wants to offer evidence of defendants' criminal activity related to a criminal conviction for Conspiracy to Commit Wire Fraud and Obtaining Funds by Fraud, in violation of [18 U.S.C. § 371](#). The government states that this crime occurred in 2005 in Missouri and involved mortgage fraud. The defendants objected at the February 24, 2011, pretrial hearing in this case and asked this court to prohibit introduction of this evidence.

The court has reviewed the notice and objections and finds the materials are relevant. The court overrules the objections at this time. The defendants may reassert their objections at trial, and the court will further rule based on the totality of the evidence then presented.

THEREFORE, IT IS ORDERED that the evidence related to the notice of the government's intent to use evidence pursuant to Rule 404(b), Filing No. [60](#), is admissible subject to the reassertion of any objections at trial.

DATED this 30th day of March, 2011.

BY THE COURT:

s/ Joseph F. Bataillon
Chief District Judge